

Express Mail Label No.: EL 002126983 US
Date of Deposit: November 5, 2001

Rec'd PCT/PTO 05 NOV 2001

Attorney Docket No.: 19904-015 NATL. (BREESE-15) *4*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Timsit and Quinonero

SERIAL NO: 09/868,663

INTERNATIONAL PCT/FR99/02964

APPLICATION NO :

I.A. FILING DATE: 30 November 1999

PRIORITY DATE : 21 December 98

FOR: MAMMALIAN CELL PREPARATIONS OPTIONALLY TRANSFECTED
WITH A GENE CODING FOR AN ACTIVE SUBSTANCE CONTAINING
SAME

November 5, 2001
Boston, Massachusetts

BOX PCT
Assistant Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) mailed on 25 July 2001, attached please find:

- ☒ Response to Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) (2 pgs.);
- ☒ Copy of FORM PCT/DO/EO/905 (1 pg.);
- ☒ Combined Declaration and Power of Attorney (3 pgs);
- ☒ Petition for Extension of Time for 2 months (2 pgs.);
- ☒ Two checks: (#10706) in the amount of \$130.00 in payment of the surcharge fee and (#10707) in the amount of \$400.00 in payment of the extension fee; and
- ☒ Postcard.

If the enclosed papers are considered incomplete, the Mail Room is respectfully requested to contact the undersigned collect at telephone (617) 542-6000.

12/17/2001 LLANDGRA 00000012 09868663

01 FC:154

130.00 OP



30623

PATENT TRADEMARK OFFICE

Applicants: Timsit and Quinero
U.S.S.N. 09/868,663

The Commissioner is hereby authorized to charge any fees which may be required to
Deposit Account No. 50-0311, Ref. No. 19904-015 NATL. (BREESE-15).

Respectfully submitted,



Ivor R. Elrifi, Reg. No. 39,529
Barry J. Marenberg, Reg. No. 40,715
Attorney/Agent for Applicant
c/o MINTZ, LEVIN
One Financial Center
Boston, Massachusetts 02111
Tel: (617) 542-6000
Fax: (617) 542-2241

TRA 1589384v1



U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/868663	TIMSIT S	19904-015NAT
INTERNATIONAL APPLICATION NO.		PCT/FR99/02964
I.A. FILING DATE		PRIORITY DATE
30 NOV 99		21 DEC 98
DATE MAILED: 25 JUL 2001		

MICHEL MORENCY
MINTZ LEVIN COHN FERRIS GLOVSKY AND POPE
ONE FINANCIAL CENTER
BOSTON, MA 02111

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494) ☒ an Elected Office (37 CFR 1.495):

- | | |
|--|--|
| <input checked="" type="checkbox"/> U.S. Basic National Fee. | <input type="checkbox"/> Indication of Small Entity Status. |
| <input checked="" type="checkbox"/> Copy of the international application. | <input checked="" type="checkbox"/> Translation of the international application into English. |
| <input type="checkbox"/> Oath or Declaration of inventors(s). | <input type="checkbox"/> Translation of Article 19 amendments into English. |
| <input type="checkbox"/> Copy of Article 19 amendments. | <input type="checkbox"/> Other: |
| <input checked="" type="checkbox"/> Priority Document. | |
| <input checked="" type="checkbox"/> The International Preliminary Examination Report in English and its Annexes, if any. | |
| <input type="checkbox"/> Translation of Annexes to the International Preliminary Examination Report into English. | |

RECEIVED

JUL 27 2001

MINTZ LEVIN, BOSTON
PATENT DOCKET DEPT.

2. ☐ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

- ☐ U.S. Basic National Fee. ☐ Copy of the international application.

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☐ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

4. Additional claim fees of \$_____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5. ☐ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.
7. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

- Enclosed: ☐ PCT/DO/EO/917 ☐ Notice of Defective Translation
☐ PTO-875 ☐ PCT/DO/EO/920

Francine Young

FORM PCT/DO/EO/905 (March 2001)

Telephone: 703-305-3662

Express Mail Label No.: EL 002126983 US
Date of Deposit: November 5, 2001

Rec'd PCT/PTO 05 NOV 2001

Attorney Docket No.: 19904-015 NATL. (BREESE-15)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Timsit and Quinonero

SERIAL NO: 09/868,663

INTERNATIONAL PCT/FR99/02964
APPLICATION NO :

I.A. FILING 30 November 1999
DATE:

PRIORITY DATE : 21 December 98

FOR: MAMMALIAN CELL PREPARATIONS OPTIONALLY TRANSFECTED
WITH A GENE CODING FOR AN ACTIVE SUBSTANCE CONTAINING
SAME

November 5, 2001
Boston, Massachusetts

Box PCT
Assistant Commissioner for Patents
Washington, D.C. 20231

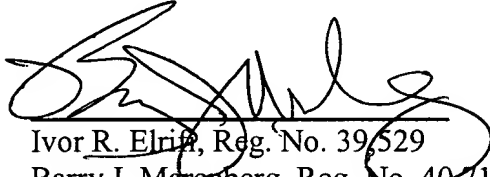
**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE**

Responsive to the Notification of Missing Requirements Under 35 U.S.C. 371, dated 25 July 2001, submitted herewith is an executed Combined Declaration and Power of Attorney for Patent Application for the above-identified patent application. This Response is due on or before 25 November 2001, with two extensions. A petition for an extension of time is being filed concurrently herewith. A copy of Form PCT/DO/EO/905 is also enclosed.

• Applicants: Timsit and Quinero
U.S.S.N. 09/868,663

Please charge any underpayments or credit any overpayments associated with this communication to our Deposit Account No. 50-0311, Ref. No. 19904-015 NATL. (BREESE-15). A duplicate of this letter is enclosed.

Respectfully submitted,



Ivor R. Elriss, Reg. No. 39,529
Barry J. Marenberg, Reg. No. 40,715
Attorney/Agent for Applicant
c/o MINTZ, LEVIN
One Financial Center
Boston, Massachusetts 02111
Tel: (617) 542-6000
Fax: (617) 542-2241

Dated: November 5, 2001